

APR 06 2004

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re Application of : Customer Number: 20277
Thomas Charles ELLEMAN, et al. : Confirmation Number: 9960
Serial No.: 09/701,437 : Group Art Unit: 1631
Filed: March 02, 2001 : Examiner: Marianne P. Allen

For: METHOD OF DESIGNING AGONISTS AND ANTAGONISTS TO EGF RECEPTOR
FAMILY

**NOTICE OF APPEAL
FROM THE PRIMARY EXAMINER
TO THE BOARD OF APPEALS**

Mail Stop Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

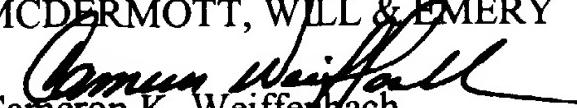
Sir:

Applicant(s) hereby appeal(s) to the Board of Appeals from the decision dated September 22, 2003 of the Primary Examiner finally rejecting claims 1 and 54-75.

Appeal Fee: \$\$330.00

- Not required (fee paid in prior appeal in this application).
- Charge to Deposit Account No. 500417.
- Check Enclosed.

Respectfully submitted,

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Date: March 22, 2004



Applicant: Thomas Charles ELLEMAN, et al. Docket No. 50179-086

Title: METHOD OF DESIGNING AGONISTS AND ANTAGONISTS TO EGF RECEPTOR FAMILY Serial/Reg./Patent No. 09/701,437

Date Sent: 3/22/2004 Hand Carried Fax Electronic Cert. of Mailing Express Mail No. _____

Transmittal Letter

New Patent App Utility Design Cont. CIP Div. PCT RCE Prov

Other: _____
_____ pages of Specification
_____ pages of Claims
_____ pages of Abstract
_____ pages of Formal/Informal Drawings

Small Entity Large Entity

Declaration/Power of Attorney

Recordation of Assignment/Security Agreement

Information Disclosure Statement
Form PTO 1449
copies of cited references

Preliminary Amendment

Response to Missing Parts Notice

Resp. to Notice to Correct App. Papers

Certified Copy of Priority Doc.

Claim for Convention Priority

Response/Amendment to Office Action of 9/22/03

Request for _____ month Extension of Time

Check for \$ _____ Charge Deposit Acct. 500417\$ 330 Atty Init. CKW Tkpr. # 5169 Secy. or PL: CCollins/JR-Johnson



CMS Descrip.: 9 - \$330

THE PATENT AND TRADEMARK OFFICE DATE STAMPED HEREON IS ACKNOWLEDGEMENT THAT THE ITEMS, CHECKED ABOVE, WERE RECEIVED BY THE PTO ON THE DATE STAMPED.